

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
Corpus Christi Division

EDGAR ALANIZ, ALFREDO ALANIZ,
and SALVADOR LOPEZ
on behalf of themselves and all others
similarly situated,

Plaintiffs,

vs.

SAM KANE BEEF PROCESSORS, INC.,

Defendants

CASE NO. 2:07-cv-00335

REPRESENTATIVE CLASS ACTION

**JOINT MOTION FOR APPROVAL OF
REPRESENTATIVE CLASS ACTION**

ORDER

AND NOW, this / day of June, 2009, upon

consideration of the parties "Joint Motion for Approval of FLSA Representative Class Action Settlement Agreement (hereinafter "Approval Motion"), the accompanying and fully executed Mediation Agreement, the yet to be executed Settlement Agreement, the proposed Release and the Memorandum of Law in support of the Approval Motion, and argument therein re: recovery of the agreed upon contingent fees and litigation expenses, and all other papers and proceedings,

IT IS HEREBY ORDERED that:

1. The Approval Motion is **GRANTED** and the accompanying Mediation and Settlement Agreement are **APPROVED** as fair, reasonable, and allowable under 29 U.S.C. §216(b) of the Fair Labor Standards Act (hereinafter "FLSA");

2. The Court further finds that after review of the Releases, that the proposed Release contains reasonable, knowing and voluntary releases, consistent with the principals of the FLSA, by all parties to the Settlement Agreement of all claims asserted limited to claims for retaliation and all other claims raised in the pleadings filed in the above captioned representative class action which accrued prior to November 7, 2008 by all Plaintiffs who timely opted into the instant representative class action by September 13, 2008 against Defendant, Sam Kane Beef Processors, Inc.
3. Attorneys, Philip A. Downey, of The Downey Law Firm, LLC, and Kern Lewis, of Forman, Lewis & Hutchinson, are appointed to serve as lead counsel for purposes of representing all opt in Plaintiffs during any and all further proceedings relating to the settlement.
4. This action is **Dismissed as Settled**, although this Court will retain jurisdiction over the action for purposes of overseeing the implementation of the Settlement Agreement and any disputes that may arise therefrom.



A handwritten signature in black ink, appearing to read "Hayden Head". Below the signature, the name "Hon. Hayden Head" is printed in a smaller, standard font.